

DO NOT ENTER: /JWL/ (02/05/2009)

**JAN 28 2009**Docket No.: 64656(46590)  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Patent Application of:**  
Iichirou Shimomura et al.**Application No.: 10/561,144****Confirmation No.: 9423****Filed: October 17, 2006****Art Unit: 1656****For: NOVEL PROTEIN****Examiner: J. W. Lee****AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Applicants submit this paper in response to the final Office Action mailed on August 5, 2008, which set a three-month shortened statutory period for reply ending on November 5, 2008. Accordingly, a Petition for the Extension of Time under 37 C.F.R. § 1.136 is not required. Applicants, nevertheless, authorize the Commissioner to charge any additional fees occasioned by this paper, or credit any overpayment of such fees, to Deposit Account No. 04-1105.

In response to the Office Action dated August 5, 2008, finally rejecting claims 31, 32 and 52-54, please amend the above-identified U.S. patent application as follows:

**Amendments to the claims** are reflected in the listing of claims beginning on page 2.

**Remarks/arguments** begin on page 9 of this paper.

BOS2 702388.1